

## **REMARKS**

The September 20, 2004 office action objected to the specification on the basis that the title was not descriptive. The title has been amended to address that objection.

The September 20, 2004 office action rejected all claims under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,475,245 to Gersho et al. ("Gersho"). It is respectfully submitted that Gersho does not anticipate the claims because Gersho lacks a phase jitter parameter.

Claims 1, 6, and 9 require, in addition to frequency and amplitude information, "a phase jitter parameter (p) representing an amount of phase jitter that should be added during restoring the sinusoidal component from the transmitted sinusoidal parameters (f,a)." Claim 1 specifies transmitting the phase jitter parameter, claim 6 specifies means for transmitting the phase jitter parameter, and 9 specifies a signal including the phase jitter parameter. The examiner cited Gersho Fig 4a subblocks 30 and 32 as teaching the claimed transmitting, means for transmitting, and signal including the phase jitter parameter. That is incorrect; not only does Gersho fail to disclose transmitting a signal including a phase jitter parameter, Gersho does not disclose anything at all regarding phase jitter. There are only two occurrences of the term "jitter" in Gersho, and both refer to classification jitter, which is jitter that may occur in the class output of Gersho's speech classifier/pitch/voicing (CPV) module 18 that classifies the speech as stationary unvoiced, steady-state voiced (harmonic), or transition speech.

The examiner referred to "phase synchronization information into the transition and voiced coder (Fig. 4a, subblocks 30 and 32)" as satisfying the claim elements regarding a phase jitter parameter. Elements 30 and 32 are coders, and the office action did not cite any particular portion of Gersho identifying the phase synchronization information that is relied upon by the examiner.

Whatever phase information may exist in the Gersho encoder or decoder, it is clear that no phase information is transmitted from the encoder to the decoder. This is apparent throughout Gersho's disclosure, and is flatly stated in several places, including:

Since no phase information is sent from the encoder to the decoder, phase synchronization is based solely on the reconstructed speech (at the decoder) and the reconstructed speech and the original speech (at the encoder). Phase synchronization when switching from the transition model to the voiced (harmonic) model (onset synchronization) is performed in both the decoder and encoder. The decoder uses the estimated linear phase for the reconstruction of the speech, and the encoder uses the linear phase to keep track of the phase evolution which is needed for the next synchronization step to occur later when switching from the voiced model to the transition model (offset synchronization). (Col. 14, line 58 - col. 15, line 4; emphasis added.)

Since no phase information is sent from the encoder to the decoder, only the spectral magnitude information needs to be quantized and sent. (Col. 25, lines 51-53; emphasis added.)

Claims 5 and 7 are directed to signal processing in a receiver, and include receiving a phase jitter parameter and adding an amount of phase jitter to the sinusoidal component, which amount of phase jitter is derived from the phase jitter parameter. The examiner referred to "receiving the phase sync parameter (Fig. 5, subblock1222 [sic - 122] + col. 16 lines 45-65)" as satisfying the claim elements regarding a phase jitter parameter. As discussed above, Gersho does not discuss phase jitter or a phase jitter parameter and does not transmit any phase information. Not only is the examiner's assertion that Gersho's Fig. 5 decoder receives a phase sync parameter not supported in the cited text, it is flatly contrary to the above-quoted statements.

Lacking any disclosure of a transmitted phase jitter parameter, Gersho also does not disclose the further limitations regarding such parameter set forth in dependent claims 2-4.

Accordingly, the requirements of the office action have been addressed and the stated grounds for rejection have been overcome. Reconsideration and further examination is respectfully requested, and an early and favorable action is earnestly solicited.

Respectfully submitted,



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